

Department of Public Safety - Commonwealth of Massachusetts

One Ashburton Place – Boston – MA 02108

Board of Elevator Regulations – Hearings

Minutes – April 2, 2013

PRESENT:

John Caughey, Chair
Cheri Davis, Member
Kevin McGettigan, Member

David Gaudet, Member
John O'Donoghue, Member
Harold McGonagle, Member

Walter Zalenski, Designee, DPS
Deborah Ho, Program Coordinator, DPS

ABSENT:

Michael Nicoloro, Member

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- I. Meeting is called to order by John Caughey at 1:00PM introduction of the board members – a quorum is present, Review minutes – March 26, 2013 hearing minutes – Cheri Davis has request to amend the minutes of item # VIII striking “within 90 days” and item # IX to included “Polyurethane Buffers and the future installations; provided the exact manufacturer of the Polyurethane Buffers is being installed” – a motion has been put forth by Cheri Davis to approve the minutes with amendments – Seconded by David Gaudet – Vote approved 7-0

II. **Hingham Middle School – 1103 Main St – Hingham – New Installation**

Don Partington, United Elevator

Ken Lloyd, Abell Lift Systems

Exhibit 1 – Information, drawings and engineering plans – one binder packet

The Petitioner is seeking a variance to install an Abell Lift Systems in Massachusetts – unit is an Machine Room-less (MRL) elevator – multiple components have been manufactured by various companies – the unit that is to be installed is called the “Pancake design – a motion has been put forth by Kevin McGettigan to grant the variance of an Abell 3500 lbs capacity – “Pancake design” MRL only* – upon completion the Board of Elevator must be informed – a site visit will be scheduled at location – 1103 Main St – Hingham*

Motioned by: Kevin McGettigan

Seconded by: John O'Donoghue

Vote: Variance granted 6-1- with provisions* Abstained - Walter Zalenski
Absent - Michael Nicoloro

III. **Holyoke Mall – 50 Holyoke St – 137-E-325 – 328 – Inspector's Report**

Tristan Baker, Schindler Elevator

Exhibit 1 – Inspector's work sheets (4)

The Petitioner is seeking a variance based on the Inspector's report – citing 524 CMR 22.04 – skirt brushes clearance – code of 1/8” versus 3/16” skirt brush clearance - which has been stated by the Engineers of Schindler – a motion has been put forth by Cheri Davis to place the case “on hold” thirty (30) days for further documentation from the manufacturers

Motioned by: Cheri Davis

Seconded by: David Gaudet

Vote: Variance “on hold” 7-0
Absent - Michael Nicoloro

IV. 376 Boylston St –Boston 1-F-1309

David Driscoll, Atlantic-South Elevator

Exhibit 1 – Photographs (5)

The Petitioner is seeking a variance/relief based on the Inspector's report citing – 524 CMR 17.14(7) (c) car gate must be 6' – presently the car gate is 5' – the overhead in the hoistway will prevent this car gate height to be increased further - the car gate will hit the top of the hoistway should it be replaced with a 6' car gate – a motion has been put forth by Kevin McGettigan to grant the variance to allow the 5' car gate to remain and abate the Inspector's work order

Motioned by: Kevin McGettigan
Seconded by: Cheri Davis
Vote: 5-2 – Variance/relief granted –
Opposed –Walter Zalenski; Harold McGonagle
Absent Michael Nicoloro

V. Elizabeth Grady – 230 Boston Ave – Medford

Brent Lewis, ThyssenKrupp Elevator

Bob Iaconis, ThyssenKrupp Elevator

Evelyn Bruno, Elizabeth Grady

Gene Piermattei, Technical Code Coordinator

The Petitioner is seeking a variance on an installation – during the inspection, the elevator inspector stated that the unit should be inspected under A17.1 – 2004 codes – a list of items on the inspector's work sheet was to be addressed – the owner had submitted the new installation application back on 2001 and is requesting that the unit be tested under the 2001 codes – a motion has been put for by David Gaudet to grant the variance – the elevator is to be inspected under 1996 code as it was installed in 2001 – abate item # 1, 2 and 7

Motioned by: David Gaudet
Seconded by: Harold McGonagle
Vote: 5-1-1 – Variance/relief granted – Recused - Cheri Davis
Opposed –Kevin McGettigan
Absent Michael Nicoloro

VI. Tewksbury Hospital – 365 East St –Tewksbury

Adam Charters, Charter Brothers

Julia Smith, Buck, Smith and McAvoy

The Petitioner is seeking a variance/relief on an installation on a wheelchair lift – the location of the wheelchair has window in the shaft way which poses a problem per the Supervisor of Elevator Inspections – to solve the issue; Charter Brothers will install a ¼" X 1 ½" steel bars which run vertically at 12" as suggested by the Supervisor of Elevator Inspections – a motion has been put forth by Kevin McGettigan to grant the variance on installing a ¼" X 1 ½" steel bars which will run vertically at 12" – notification and training to the local Tewksbury Fire Department

Motioned by: Kevin McGettigan
Seconded by: Harold McGonagle
Vote: 7-0 – Variance/relief granted
Absent Michael Nicoloro

VII. 32 Clifton St – Somerville – New Installation

John Fasnao, AIA, Peter Quinn Architects

John Imber, Owner – 32 Clifton St – Somerville

Paul McCarthy, Garaventa

The Petitioner is seeking a variance for a new installation of a “residential elevator for common usage – the building consists of seven (7) families – a long term occupant of the building has been diagnosed with ALS and needs a vertical transport equipment to gain access to and from his unit on the second (2nd) level of the building – due to the combination of the building split-entrance and floor heights, neither a platform nor a LU/LA elevator would be able to provide stops to all occupied floor levels – installations of a residential elevator is allowed in single family units only - a motion has been put forth by Kevin McGettigan to deny the variance – a residential elevator cannot be used for commercial purposes

Motioned by: Kevin McGettigan

Seconded by: Walter Zalenski

Vote: 7-0 – Variance denied

Absent Michael Nicoloro

VIII. Ludlow High School -500 Chapin St – Ludlow

“No Show”

IX. Old Business/New Business

Harvard School of Public Health – 90 Smith St – Roxbury – 1-W-13219

The Petitioner is seeking a variance/relief based on the Inspector’s report - 524 CMR 8.06 Fall Hazard – clarification on interpretation by the petitioner on the fall hazard – the lift has 2 landings – ground and first floor – after a review of the landing, by the Harold McGonagle, Board Member, a motion has been put forth by Cheri Davis to grant the variance

Motioned by: Cheri Davis

Seconded by: Harold McGonagle

Vote: 7-0 – Variance granted

Absent Michael Nicoloro

Allen Block – 1-5 Bank Row – Greenfield – 114-P-169

The Petitioner is seeking a relief based on the Inspector’s report – a refuge space on top of car enclosure does not provide minimum vertical distance to overhead structure when car has reached maximum upward travel, 2.4.12.1 – after a review by the Board of Elevator Regulations, a motion has been put forth by Walter Zalenski to grant the relief for reduced overhead clearance – provide signage for low overhead on beams and car top

Motioned by: Walter Zalenski

Seconded by: Cheri Davis

Vote: 7-0 – Variance granted

Absent Michael Nicoloro

79 Main St – Rockport – New Installation

The Petitioner is seeking a variance on an existing residence elevator, which will be replaced with a new residence elevator – the existing machine room is undersized in height and has a 30”x30” access door to gain entrance – the Petitioner is seeking to utilize the existing undersized machine room for the new elevator – the height is 4’ 6” – after a review by the Board of Elevator Regulations, a motion has been put forth by David Gaudet to allow for the reduced height in the control space and allow existing conditions

Motioned by: David Gaudet

Seconded by: Cheri Davis

Vote: 7-0 – Variance granted

Absent Michael Nicoloro

Fogg Library – 1 Columbia St – Weymouth

The Petitioner is seeking a variance for the maximum rise allowable by ASME 17.1, 5.2.1.16.5 of 25' - 0" on a LULA travel distance – the existing conditions of the building are such that the travel distance from the basement to the second floor is 25' - 8" – after a review by the Board of Elevator Regulations, a motion has been put forth by Cheri Davis to grant the variance for 25' 10" of rise for the installation due to historical design of existing building

Motioned by: Cheri Davis

Seconded by: David Gaudet

Vote: 6-1 – Variance granted – opposed Kevin McGettigan
Absent Michael Nicoloro

Cabotville Industrial Park Building – 165 Front St – Chicopee – 61-F-32

Exhibit 1 –Photograph (1)

The Petitioner is seeking a variance on 524 CMR Section 35.00 – 17.45 – Counterweights rails are wood - The elevator is located in a 6 story building and the elevator usage is minimum – due to financial constraints – the petitioner is seeking more time to bring the freight elevator up to code – a motion has been put forth by Kevin McGettigan to abate the work order provided *documentation on the age of the elevator and the year of installation before March 9, 1950 is received within thirty-days – the petitioner has provided photograph of the elevator in question

Motioned by: Kevin McGettigan

Seconded by: David Gaudet

Vote: 7-0 – Variance granted
Absent Michael Nicoloro

Submitted by:

Deborah Ho
March 27, 2013